

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

ERIK TWEDE, et al.,

CASE NO. C16-1761JLR

Plaintiffs,

**ORDER GRANTING IN PART
AND DENYING IN PART THE
PARTIES' STIPULATED
MOTION TO EXTEND THE
BRIEFING SCHEDULE**

UNIVERSITY OF WASHINGTON,

Defendant.

Before the court is the parties' stipulation to extend the response and noting dates defendant University of Washington's ("UW") motions for summary judgment and it expert witness testimony. (*See* Stip. (Dkt. # 59); *see also* MSJ (Dkt. # 54); E (Dkt. # 52).) As discussed below, the court GRANTS in part and DENIES in part parties' stipulated motion.

The parties propose extending the noting date for UW's motion for summary judgment from March 16, 2018, to April 6, 2018, and extending the noting date for UW's motion to limit expert testimony from March 9, 2018, to March 30, 2018. (Stip. at 1.)

1 Extending the deadlines for Plaintiffs' responses and the noting dates for these motions
2 diminishes the court's time to consider and decide these motions prior to the May 21,
3 2018, trial date. As the parties acknowledge in their stipulation, the court explained in
4 the February 21, 2018, telephone conference why the court is reluctant to shorten this
5 time period. (*See* Stip. at 1-2; Min Entry (Dkt. # 56).) The court issues scheduling orders
6 setting trial dates and related dates to provide a reasonable schedule for the resolution of
7 disputes. The schedule generally provides for 90 days between the deadline for filing
8 dispositive motions and the trial date. This 90-day period takes into account: (a) an
9 approximate 30-day lag between the date a party files a motion and the date that motion
10 becomes ripe for the court's consideration, *see* Local Rules W.D. Wash. LCR 7(d)(3);
11 and (b) an additional 30 days during which the court endeavors to rule on the motion, *id.*
12 LCR 7(b)(5). Anything short of a 90-day period leaves inadequate time for the parties to
13 consider the court's ruling and plan for trial or an alternate resolution.

14 Nevertheless, the court recognizes that some of the discovery in this case has
15 occurred after the discovery cut-off. (*See* Min. Entry.) Further, the court acknowledges
16 the parties' representation that they will engage in mediation during the week of March 5,
17 2018. (*See* Stip. at 2.) Accordingly, the court will grant an extension of the response
18 deadlines and noting dates for the two motions at issue but not for as long as the parties
19 requested. Plaintiffs' response to UW's motion to limit expert witness testimony is now
20 due on Monday, March 12, 2018, and the noting date for that motion is extended to
21 Friday, March 16, 2018. Plaintiffs' response to UW's motion for summary judgment is
22 now due on Monday, March 19, 2018, and the noting date for that motion is extended to

1 Friday, March 23, 2018. The court DIRECTS the Clerk to re-note UW's motion to limit
2 expert witness testimony (Dkt. # 52) to Friday, March 16, 2018, and to re-note UW's
3 motion for summary judgment (Dkt. # 54) to Friday, March 23, 2018.

4 Dated this 2nd day of March, 2018.

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7 JAMES L. ROBART
8 United States District Judge
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